



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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www.berlinmd.gov



Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

Town Attorney

David Gaskill

MONDAY, MAY 13, 2013

Town Administrator

Anthony J. Carson, Jr.

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION.....6:00 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

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TTY users outside Maryland dial 1-800-735-2258

**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, May 13, 2013**

6:00 PM EXECUTIVE SESSION - Berlin Conference Room

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

1. Approval of the Minutes for:
 Regular Session of the Mayor and Council on April 22, 2013
 Executive Session of the Mayor and Council on April 22, 2013
 Statement of Closure for Mayor and Council on April 22, 2013
 Enterprise Fund Budget Worksession on April 29, 2013
2. Proclamation 2013-13
 A Proclamation recognizing Jerry Quian as a winner of the Earth Day contest
3. Request for Special Event – Backyard Berlin
 Saturday, June 15, 2013; 12 noon to 6:00 p.m.
4. Request for Special Event – Berlin Day in the Park
 Saturday, May 25, 2013; 10:00 a.m. to 7:30 p.m.
 Sunday, May 26, 2013; 11:00 a.m. to 7:00 p.m.
5. Citizen Participation Public Hearing – Community Development Block Grant
 - a. Public Hearing
 - b. Resolution 2013-05
6. Public Hearing – Resolution 2013-03
 Annexation of property designated at Lot 1, Parcel 88, Tax Map 25
7. Resolution 2013-04; Adoption of the Walkable/Bikeable Berlin Master Plan
8. Presentation – Health Care Coverage (Jeff Fleetwood)
9. Introduction of Ordinance 2013-03; FY14 Budget
 Public hearing to be held May 28, 2013
10. Departmental Reports
 - a. Finance – Natalie Saleh
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Public Works – Mike Gibbons
 - d. Water Resources – Jane Kreiter
 - e. Electric – Tim Lawrence
 - f. Police – Arnold Downing
 - g. Planning and Zoning - Chuck Ward
 - h. Human Resources – Jeff Fleetwood
 - i. Economic and Community Development – Michael Day

11. Town Administrator's Report
12. Comments from the Mayor
13. Comments from the Council
14. Comments from the Public
15. Comments from the Press
16. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, April 22, 2013

The meeting of the Mayor and Council for Monday, April 22, 2013 was called to order by Mayor Williams at approximately 7:03 p.m. Councilmembers Burrell, Hall, Lynch, Brittingham and Purnell were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood; Deputy Town Administrator Mary Bohlen, Finance Director Lynn Musgrave, Acting Finance Director Natalie, Saleh, Town Attorney David Gaskill, Public Works Director Mike Gibbons, Electric Utility Director Tim Lawrence, Water Resources Director Jane Kreiter, Economic and Community Development Director Michael Day, Planning and Zoning Director Chuck Ward and Administrative Assistant Sharon Timmons. Police Chief Arnold Downing arrived late.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion for approval of the Regular Session minutes of April 8, 2013. Councilmember Lynch made a motion to approve the minutes and council voted to approve unanimously 5-0. Mayor Williams asked for a motion to approve the General Fund worksession minutes of April 15, 2013. Councilmember Lynch asked for a clarification for a statement made on page 1, paragraph 3. Discussion followed. It was requested that the wording "compared to last year" be removed from sentences 2 & 3 in that paragraph. Councilmember Brittingham made a motion to approve the minutes as corrected and council voted to approve unanimously 5-0. Mayor Williams asked for a motion to approve the Executive minutes from April 15, 2013. Councilmember Lynch made a motion to approve the minutes and council voted to approve unanimously 5-0. Mayor Williams stated that the Executive Session was closed for two reasons: one to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction and the second reason was to discuss any other personnel matter that affects one or more specific individuals.

Mayor Williams announced Proclamation 2013-10, a proclamation recognizing April 25th as Red Hat Society day. Mayor Williams asked Ambassador Mabel Jarmon of the Charm Girls, Chapter #74007 to come forward and read the proclamation. Ms. Jarmon announced that their Chapter was celebrating their 15th anniversary and that the Taylor House Museum is currently featuring a display regarding the Red Hat Society.

Chief Downing arrived at 7:15 p.m.

Eagle Scout Peter Marx came before the council to present an update on the installation of the 12 bat boxes in Stephen Decatur Park. Mr. Marx thanked town employees John Brittingham, Claude Littleton and Tim Lawrence for their assistance and Rick Holland of Adkins Company for the donation of supplies. Mayor Williams read the thank you letter from Mr. Marx.

Mr. Cole Norman and his father came before the council to receive approval to proceed with a project called the Emergency Service House Locator to help him obtain his Eagle Scout status. This project involves the painting of house numbers in reflective paint on the sidewalks and/or curbing which would assist fireman or emergency vehicles to easily locate the home in case of an emergency. Mr. Norman spoke of the safety precautions that would be taken and the areas that would be covered. Residents will be notified beforehand to allow them the opportunity to opt out if they are not interested. Councilmember Hall made a motion to support and approve the Emergency Service House Locator project by Cole Norman to achieve his Eagle Scout status and council voted unanimously to approve 5-0.

Mayor Williams asked for the members of the radio station WOCM 98.1 to come forward and spoke of how they are instrumental in the support and promotion of the Town of Berlin and our events on their radio station. WOCM 98.1 created the slogan "Maryland's Coolest Small Town". Mayor Williams then read Proclamation 2013-11, recognizing May10th (May Day Play Day) as WOCM 98.1 Day. Mr. Carson expressed his appreciation regarding the relationship between the town and WOCM 98.1.

Ms. Anna Mullins, Executive Director of the Worcester County Arts Council came before the Mayor and Council seeking a grant request of \$1,500 to help support the "Paint Berlin" event to be held September 19th – 21st. Ms. Mullins spoke of promoting appreciation of the arts and bringing cultural experiences to people in the area. She stated that she was hoping to attract more artists to the area by increasing the purse for awards and prizes. Mayor Williams suggested that the Arts Council make a commitment to build on this event in the future by holding more fundraising activities. Councilmember Hall suggested that the Arts Council work with Worcester Youth and Family to involve more children in the program. Councilmember Hall made a motion to approve the grant request of \$1500.00 from the FY13 budget to Worcester County Arts Council to help support the "Paint Berlin" event to be held September 19th – 21st. Council voted to approve unanimously 5-0.

Mr. Todd Burbage, representing Worcester Preparatory School came before the council requesting a waiver for the building permits fees of \$3,700.00 for the upgrade and expansion of an existing multipurpose room at the school. Mr. Carson stated that any costs such as inspection or review fees that are passed through the Town would be passed onto the school for payment. Councilmember Brittingham made a motion to approve the waiver of \$3700.00 for the building permit fees. The motion was approved 3-0 with Councilmembers Burrell, Brittingham and Hall in favor and Councilmembers Purnell and Lynch abstaining.

Mayor Williams announced that the Berlin Fire Company requested a Special One Day Permit for the date of May 18th for their "Ladies Night" fund raiser from the hours of 6:00 p.m. to 1:00 a.m. Councilmember Hall made a motion to approve the Special One Day Permit and council voted unanimously to approve 5-0.

Public Works Director Mike Gibbons presented a powerpoint presentation on the FY13 Road Renovations, Paving and Sidewalk projects. Mr. Gibbons exhibited pictures of the relevant areas and described the asphalt overlay work to be done on Washington Street, Franklin Avenue and the intersection of Esham Avenue and Quillen Drive. Mr. Gibbons stated that bids had been submitted and that he was recommending award of the contract to Chesapeake Paving as the qualified low bidder for the amount of \$31,980.00. Councilmember Purnell made a motion to approve awarding the contract to Chesapeake Paving in the amount of \$31,980.00 and council voted unanimously to approve 5-0.

Mr. Gibbons continued his presentation regarding the completion of sidewalk work on Jefferson Street and stated that Worth Concrete was honoring their price per square foot from last year. The contracted price for the Jefferson Street sidewalk is \$7,682.28. Councilmember Purnell made a motion to approve the contract with Worth Construction in the amount of \$7,682.28 for the Jefferson Street sidewalk project and council voted unanimously to approve 5-0. Mr. Carson asked Mr. Gibbons to advise that the contractor proceed with the completion of sidewalk work on Flower Street before proceeding to Jefferson Street.

Public Works Director Mike Gibbons reviewed the dates and items eligible for the Spring Bulk Pickup. Bulk items will be picked up on Wednesday, May 1st for those residents having normal trash collection on Tuesdays or Wednesdays and May 8th for those residents having normal trash collection on Thursdays. Mr. Gibbons asked that residents have all items out for pickup by 7:00 a.m.

Department Head reports began with Finance Director Lynn Musgrave reporting that the Enterprise Funds Budget Worksession would be held on Monday, April 29th at 6:00 p.m. Ms. Musgrave announced that this would be her last meeting with the town as her employment with the Town would be ending on April 26th. She introduced Ms. Natalie Saleh as the Acting Finance Director. Mayor Williams thanked Ms. Musgrave for a job well done during her tenure.

Deputy Town Administrator Mary Bohlen reported on the success of Clean-Up Day on April 20th and stated that Take Pride in Berlin week would be ending on April 27th with a Business Open House. Ms. Bohlen told Councilmember Lynch that the information that she had requested regarding the expenses associated with Worcester Youth and Family were in the packet. Councilmember Lynch questioned the expenses relating to hotels and meals. She stated that any expenses paid for by the Town should relate to the children's activities.

Public Works Director Mike Gibbons reported that the concrete work on Flower Street would begin on Wednesday and when completed the contractor would move over to begin work on Jefferson Street. Mr. Gibbons continued his report announcing that the painting and striping of the basketball courts in Henry Park would begin on April 29th. He thanked Electric Utility Director Tim Lawrence and his department for their assistance with the construction of a rain garden at Stephen Decatur Park.

Water Resources Director Jane Kreiter reported that her department had installed a new sewer line at the Planning and Zoning department last week and showed slides of the work in progress. She continued that the construction of Wellhouse #3 located on Branch Street was nearly complete and had been energized by the Electric department. She also reported that the concrete would be repaired at the homes on Baker Street where new service lines had been replaced.

Electric Utility Director Tim Lawrence reported that services had been energized at the Wellhouse on Branch Street. He continued his report stating that the emission tests at the Power Plant had been completed with the exception of engine #1. Mr. Lawrence reported that a conference call had taken place with NexGrid that afternoon regarding the automatic meters. During the month of May a determination will be made as to which meters will be replaced in the downtown area. The first meter replacement will consist of 100 electric meters and 40 water meter. Residents would be receiving advance notice regarding the replacement of meters.

Police Chief Arnold Downing reported that he had attended the Maryland Municipal Police Executive Conference. He announced that PFC Jessica Collins had become a Certified Child Passenger Technician regarding child safety seats. He stated that he was sending two of his lieutenants to simulations training relating to Active Shooter drills.

Planning and Zoning Director Chuck Ward reported on the Historic District and Planning and Zoning meetings.

Human Resources Director Jeff Fleetwood reported that he was in the process of tweeking the budget numbers for his department.

Economic and Community Development Director Michael Day reported that he would be attending a Merchant's meeting at the Globe Tuesday evening. He will also be attending conferences next week in Ocean City for Maryland Economic Development and the National Association of Retired Federal Employees.

Town Administrator Tony Carson requested direction from council regarding the capital projects slated for sidewalks on Tripoli Street and Maple Avenue and paving on Jefferson Street. Mr. Carson explained the timeline which needed to be met in order to begin the projects on July 1st. Councilmember Burrell made a motion to allow Mr. Carson to proceed with the advertising and bidding for the award of contracts regarding the installation of sidewalks on Tripoli Street and Maple Avenue and paving on Jefferson Street to begin on or about July 1st. Council voted unanimously to approve 5-0.

Mr. Carson continued his report by requesting approval for 21 purchase orders (201302849, 201302858, 201302890, 201302899, 201302866, 201302871, 201302891, 201302888, 201302870, 201302869, 201302867, 201302774, 201302868, 201302923, 201302928, 201302929, 201302927, 201302930, 201302916, 201302931 and 201302939). Discussion continued on clarification of several of the purchase orders. Councilmember Burrell inquired on the process used for the accountability of inventory. Ms. Musgrave explained. Councilmember Brittingham made a motion to approve the 21 purchase orders as submitted and council voted unanimously to approve 5-0.

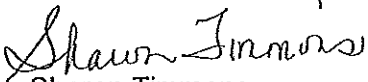
Mayor Williams asked for comments from the council. Councilmember Hall inquired about waivers concerning the stormwater utility and the transparency to the public regarding possible appeals. Discussion followed.

Councilmember Brittingham stated that the yellow roadway striping on Flower Street had faded and asked Mr. Gibbons to re-stripe the road.

Councilmember Lynch thanked Ms. Musgrave for her service over the years and wished her and her family well. Councilmember Purnell expressed the same sentiments as did the rest of the council.

Mayor Williams asked for comments from the public or the press. Ms. Kelly Soscia of Decatur Farms Townhomes came before the council stating concerns about the absence of adequate lighting in the townhome area and explained various incidents which had occurred. Mayor Williams asked Town Attorney Gaskill and Mr. Carson to investigate to see if a solution could be achieved to help deter any further suspicious activity. There being no further comments or questions, Councilmember Burrell made a motion to adjourn and the meeting ended at 9:09 p.m.

Respectfully submitted


Sharon Timmons
Administrative Assistant

ENTERPRISE FUNDS BUDGET WORKSESSION
MAYOR AND COUNCIL OF BERLIN MARYLAND
Monday, April 29, 2013

Councilmember Purnell moved to open the Budget Worksession for Monday, April 29, 2013. The meeting was called to order by Mayor Williams at approximately 6:05 PM. Councilmembers Brittingham, Burrell, Hall, and Lynch were also present, as well as Town Administrator Tony Carson, Deputy Town Administrator Mary Bohlen, and Acting Finance Director Natalie Saleh. Water Resources Director Jane Kreiter, Water Superintendent Marvin Smith, Wastewater Superintendent Jamey Latchum and Stormwater Superintendent Jocelyn Aydelotte were also present, as well as Electric Utility Director Tim Lawrence, Economic and Community Development Director Michael Day and Police Chief Arnold Downing.

Mayor Williams introduced Acting Finance Director Natalie Saleh.

Ms. Saleh and Mr. Lawrence presented the proposed Electric Department budgets. Councilmember Lynch questioned the decrease projected in residential revenues and Mr. Lawrence indicated that, while the individual rate would not have a decrease, the lower purchase power rates that the Town pays would impact the customers' bills in the form of a projected decrease. Mr. Lawrence continued to review the budget noting specific areas, such as professional and contracted services, which may have been inappropriately charged in the past, but which would be corrected in the proposed budget. Discussion followed regarding General Overhead and Safety Supplies and Materials. Mr. Lawrence continued reviewing the budgets. Discussion followed regarding the refinancing of the bonds and the impact on the budget, energy audits and electric assistance. Mr. Lawrence also reviewed the Capital Budget proposals.

Ms. Saleh and Ms. Kreiter presented the proposed Water Resources Administration Budget. Ms. Kreiter noted that Special Connection fees were lower for the current year than expected, but the budget was based on a 10-year average expectation, therefore, those numbers were expected to fluctuate from year to year. Councilmember Burrell asked about the portion of employee(s) assigned to each budget. Discussion followed.

Mr. Smith, Ms. Saleh and Ms. Kreiter reviewed the Water Department Budget. It was noted that the line item for Lab had gone up in the Distribution budget because of new, additional tests required by the state. Mr. Smith reviewed the Capital Budget proposals. Discussion followed regarding the use and allocation/segregation of Special Connections fees.

Mr. Latchum, Ms. Saleh and Ms. Kreiter reviewed the Wastewater Budget. Councilmember Lynch asked if there would be any more rate increases. Mr. Carson indicated that the last increase was due July 1st to the wastewater rates.

Discussion followed regarding Human Resources figures associated with the budgets. Councilmember Lynch inquired as to the costs associated with re-financing the bonds and Mr. Carson indicated that they were included in the re-finance process.

Review of the Wastewater Budget continued. Discussion followed regarding employment requirements for different sites, weekend and holiday work, and the acceptance of septage from outside haulers. Mr. Latchum reviewed the Capital Budget.

Ms. Aydelotte, Ms. Saleh and Ms. Kreiter reviewed the Stormwater Budget. It was noted that, as a new department, it would probably take several years before there was a good handle on the workings of this Department, but that the first year or more would be spent inventorying and assessing the existing systems. Discussion followed regarding the allocation from the General Fund to this Department and Mr. Carson reminded the Council that the revenues were based on the recommendations given during the stormwater study. Ms. Aydelotte also reviewed the Capital Budget.

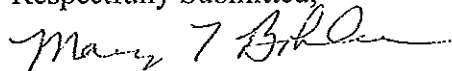
Mr. Day and Ms. Saleh reviewed the Economic and Community Development Budget. Mr. Day reviewed the cooperative efforts undertaken in the previous year with Worcester County and the expectations for the upcoming year, including a proposal for a local trolley service.

Discussion of the use of the Special Appropriations budget under General Administration vs. the promotions budget in Economic Development followed. Following discussion, it was decided, without formal motion or vote, to allocate the proposed grants to Special Appropriations and to move the rest to Economic Development. Following further discussion, Councilmember Burrell moved to provide the following grants in the current Fiscal Year: From Contingency-Berlin Little League-\$10,000; BRAVE-\$1,000; Worcester Youth and Family internship-\$2,500; from Special Appropriations-Diakonia-\$7,500. The motion passed unanimously. Mr. Carson noted that the purchase orders would be presented at the next council meeting.

Mr. Carson noted that the budget would be introduced at the May 13, 2013 Council Meeting, with the Public Hearing to be held May 28, 2013. Councilmember Lynch asked for an accounting of what health insurance options are available to employees, along with the costs and for a list of employees and salaries. Councilmember Burrell also requested an accounting of employees as assigned in the budgets and a listing of vehicles and their operators.

Councilmember Purnell moved to adjourn the Executive Session at approximately 8:20 PM and the Meeting was unanimously adjourned.

Respectfully Submitted,



Mary T. Bohlen
Deputy Town Administrator

**TOWN OF BERLIN
PUBLIC HEARING
for the purpose of
CITIZEN PARTICIPATION**

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

MONDAY, May 13, 2013

OUTLINE & AGENDA

The purpose of this Citizen Participation Public Hearing is to review two existing projects, the Five Mile Branch Effluent Storage Lagoon and Spray Irrigation System Project and the Public Restroom Renovation, and to review a proposed application for Hudson Branch Stormwater Work.

I. EXISTING PROJECT: MD-12-CD-32 Five Mile Branch Effluent Storage Lagoon and Spray Irrigation System

1. Project Description & Budget:

CDBG Funds were used specifically for the creation of a new lagoon at the site. The CDBG portion of the budget was \$600,000.00.

Item	Budget	Expended As of May 1, 2013	MDE Funds Rec'd	CDBG Funds Rec'd	Town Funds Exp.
Construction	\$4,131,580	\$3,404,376	\$2,804,376	\$600,000	\$0
Technical Services (Engineer)	\$910,955	\$826,972	\$646,090	\$0	\$180,882
Equip/Misc (diff. from contingency)	\$230,000	\$274,429	\$230,000	\$0	\$0
Administrative (Legal)	\$10,000	\$11,296	\$10,000	\$0	\$1,296
Contingency (adjusted for above)	196,954	\$0	\$44,429	\$0	\$0
Total	\$5,479,489.00	\$4,517,073.00	\$3,734,895.00	\$600,000.00	\$182,178.00

2. Project activity to date:

The Five Mile Branch Effluent Storage Lagoon and Spray Irrigation System project is part of the final phase of the overall wastewater system upgrades that the Town has been involved in since 2009. While a complete new Spray Irrigation Site has been under development at the Five Mile Branch Location, the CDBG funds were applied only to the lagoon construction and were fully expended by October, 2012.

3. Public Comments/Questions:

Citizens interested in commenting on these activities may do so at this time, or submit written comments. Full contact information will appear at the end of the presentation.

II. EXISTING PROJECT: MD-12-CD-5 Public Restroom Renovations

1. Project Description & Budget:

The Public Restroom Renovation Project was for the complete renovation and upgrade of the two public restrooms on William Street to make them more energy efficient, reliable, and compliant with the Americans with Disabilities Act (ADA). The CDBG budget for this project was \$65,500.00 and included both design and construction. During the course of design/engineering, it was found that, due to unanticipated construction considerations, the cost of construction would be in excess of the initial estimates and the Mayor and Council agreed to provide an additional \$46,898.00 to make up the budget shortfall.

Item	Budget	Expended As of May 1, 2013	CDBG Funds Rec'd/Requested	Town Funds Exp.
Engineering and Construction	\$112,028	\$106,281	\$65,500	\$40,781
Project Administration	\$2,300	\$2,300	\$0	\$2,300
In-Kind Work	\$0	\$3,698	\$0	\$3,698
Total	\$114,328	\$112,279	\$65,500	\$46,779

2. Project activity to date:

The contract for design work was awarded in October, 2012 and design work was completed in January, 2013. The contract for construction was awarded in February, 2013 and all work was completed in April, 2013. The CDBG funds were fully expended at that time.

3. Public Comments/Questions:

Citizens interested in commenting on these activities may do so at this time, or submit written comments. Full contact information will appear at the end of the presentation.

III. PROPOSED APPLICATION: Flower Street Stormwater

1. SUMMARY OF PAST USE OF FUNDS

Past Block Grant Funds: \$1,954,772

Breakdown by activity:

90%	\$1,760,138	Public Facilities
4%	\$ 76,525	Housing
3%	\$ 59,500	Property Acquisition
1%	\$ 27,709	Administration
<1%	\$ 16,400	Economic Development
<1%	\$ 9,000	Demolition/Clearance
<1%	\$ 5,500	Relocation Assistance

2. FY14 CDBG FUNDING AVAILABLE

The allocation of federal funds for Community Development Block Grant for the State of Maryland for State Fiscal Year 14 is as follows:

State Administration (2% + \$100,000)	\$ 228,136
Technical Assistance (1%)	\$ 64,068
Community Development (76% - \$600,000)	\$4,269,153
Special Projects and Planning	\$ 500,000
Economic Development (21%)	\$1,345,424
TOTAL	\$6,406,781

3. OBJECTIVES/ELIGIBLE ACTIVITIES

The primary objectives of the Maryland CDBG program are to provide decent housing and necessary supporting infrastructure, preserve and develop viable communities through the expansion of economic opportunities, and meet the critical needs of Maryland's communities.

Eligible activities assisted under the Maryland Small Cities Block Grant Program may include the following as defined more specifically in 24 CFR Part 570, Subpart C.

A. Acquisition, construction, reconstruction, or installation of public facilities.

INELIGIBLE ACTIVITIES: Improvements to buildings used for the general conduct of government such as city halls and police stations; political activities; equipment purchases; furnishing; and operations, maintenance or repair of public facilities and works.

4. CURRENT PLANNED USE OF CDBG

The Town of Berlin will submit an application for FY14 Community Development Block Grant funding in the amount of \$800,000 for the Hudson Branch Stormwater Project. The funds will be used for the design and engineering and construction of the project. The project will consist of increasing the size, and therefore the capacity, of the culverts on Flower Street and William Street as well as creating some natural attenuating scour pools and bank stabilization, and improvements to some connection stormwater collection piping in the Graham, Grice and Nelson areas. These improvements will reduce backwater effects during significant storm events along with the added benefit of a beneficial effect on natural water quality.

The budget estimated for this project is as follows:

Overall Stormwater Mediation Project (includes Hudson and Bottle Branches)	\$1,864,000
Engineering and Design	\$150,000
Flower Street Construction	\$300,000
William Street Construction	\$395,000
Graham, Grice & Nelson Construction	\$1,019,000

Other funding sources will include MEMA, USDA and DNR.

IV. PUBLIC COMMENT

Citizens interested in commenting on any of the three projects discussed during this Public Hearing can do so at this time or submit written comments to:

Town of Berlin Attn: CDBG Comments 10 William Street Berlin, MD 21811	Or	Email: mbohlen@berlinmd.gov
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V. MAYOR & COUNCIL DISCUSSION

VI. RESOLUTION 2013-05 (attached)



Mayor & Council of Berlin



RESOLUTION 2013-05

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND
AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION IN THE AMOUNT OF \$800,000.00 FOR THE PURPOSE OF THE HUDSON
BRANCH STORMWATER PROJECT IN THE TOWN OF BERLIN.

WHEREAS, State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant (CDBG) Program; and

WHEREAS, The Mayor and Council of the Town of Berlin is eligible to apply for funds from the Maryland CDBG program through the Maryland Department of Housing and Community Development; and

WHEREAS, the Mayor and Council of the Town of Berlin have held the required public hearing(s) related to the formulation of the Town of Berlin's Block Grant Application;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Berlin authorize the submittal of an application for Community Development Block Grant funds for the Hudson Branch Stormwater Project in the amount of \$800,000.00; and

BE IT FURTHER RESOLVED, that Mayor Wm. G. Williams, III is authorized and empowered to execute any and all documents required for the submission of the application.

ADOPTED THIS _____ DAY OF MAY, 2013 BY THE MAYOR AND COUNCIL OF THE
TOWN OF BERLIN BY AFFIRMATIVE VOTE OF ____ TO ____ OPPOSED WITH ____
ABSTAINING.

Wm. G. Williams, III, Mayor

Elroy Brittingham, Sr. Vice President

ATTEST: _____
Anthony J. Carson, Jr.
Town Administrator

RESOLUTION NO. 2013-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, PROPOSING THE ANNEXATION TO THE TOWN OF A CERTAIN AREA OF LAND SITUATED AND CONTIGUOUS TO AND ADJOINING UPON THE CORPORATE LIMITS OF THE TOWN OF BERLIN AND PROVIDING FOR THE CONDITIONS AND CIRCUMSTANCES APPLICABLE TO THE PROPOSED CHANGES IN BOUNDARY OF THE TOWN OF BERLIN.

WHEREAS, the Town of Berlin has received, in accordance with Section 19, Article 23A of the Annotated Code of Maryland, as amended, subtitled "Annexation," consent of the property owner of the land in the area to be annexed, being contiguous to and adjoining upon the Corporate limits of the Town of Berlin; and

WHEREAS, the Town of Berlin has furnished the affected property owner with its proposed "Terms and Conditions" of annexation, including the proposed provisions for the extension of municipal services to that area; and

WHEREAS, it is the intent of the Town of Berlin to comply with existing State law and to insure there are no enclaves created with the current annexation; and

WHEREAS, it appears that the consents received meet all requirements of Maryland State Law under Article 23A of the Annotated Code as amended;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Berlin as follows:

SECTION A: It is hereby proposed and recommended that the boundaries of the Town of Berlin be changed so as to annex to, and include within said municipality, all that certain area of land, together with the improvements thereto (no persons reside therein), and the property, contiguous to and adjoining upon the Corporate Limits of the Town of Berlin and more particularly described as follows:

Description of the lands of Soldier Bee, LLC and Joan E. Young situate on the southerly side of Maryland Route 346, adjoining the corporate limits of the Town of Berlin, Maryland and being designated as Lot 1, Parcel 88, as shown on Worcester County Tax Map # 25.

BEGINNING at a point denoted by an iron pipe set on the Southerly property line of Maryland Route 346, said point being the Northwesterly corner of the property hereby described; and from said point of beginning, thence running by and with the Southerly line of said Maryland Route 346, North 74 degrees 43 minutes 22 seconds East a distance of 185.00 feet to an iron pipe set at the boundary line between the said property described herein and Lot 2 as shown on the Plat entitled "Boundary Line Adjustment of Lands of Jack Dunlap & Joan E. Young" recorded among the Land Records of Worcester

County, Maryland in Plat Book R.H.O. No. 156, folio 2; thence running by and with the said property line of Lot 2 South 13 degrees 43 minutes 13 seconds East a distance of 612.86 feet to an iron pipe; thence running North 76 degrees 12 minutes 46 seconds West 208.58 feet to an iron pipe; thence running North 13 degrees 42 minutes 46 seconds West a distance of 511.50 feet to the point of beginning; said property containing 2.39 acres of land more or less.

SECTION B: Upon the effective date of annexation, all of the provisions of the Charter of the Town of Berlin and all Ordinances, Resolutions, Rules and Regulations of the Town of Berlin in effect on said date shall apply to the property in the area to be annexed except as herein modified

SECTION C: The annexation of said area is made subject to the terms and conditions as follows:

1. POLICE PROTECTION - Police services of the Berlin Police Department shall be extended into the annexed area immediately upon the effective date of annexation.
2. TRASH COLLECTION - Trash collection is available to commercial accounts upon request, provided the Town is capable of providing the requested service with existing equipment and for a fee to be established based upon uses.
3. WATER SERVICE - Town of Berlin currently has water service available to the area to be annexed.
 - (a) The property owner has advised the property will be utilized for a commercial enterprise and has estimated that one Equivalent Dwelling Unit (EDU) or two hundred fifty gallons per day will be required to service the property. The Town will therefore assess the property owner "Connection Fees" for one EDU. After one year of occupancy, the Town will review the water usage at the property and adjust the number of EDU's accordingly.
 - (b) All wells on the property must be abandoned and capped in accordance with the Town's Wellhead Protection Program.
4. ELECTRICAL SERVICE - The Town of Berlin will provide electrical service to the area proposed for annexation.
5. WASTEWATER SERVICE - The Town of Berlin currently has wastewater service available to the area to be annexed.
 - (a) The property owner has advised the property will be utilized for a commercial enterprise and has estimated that one Equivalent Dwelling Unit (EDU) or two hundred fifty gallons per day will be required to service the property. The Town will therefore assess the property owner "Connection Fees" for one EDU. After one year of occupancy, the Town will review the water usage at the property and adjust the number of EDU's accordingly.

6. PAYMENT FOR EDU'S - The property owner payment for the cost of the one Equivalent Dwelling Unit (EDU) shall be subject to an Allocation Agreement entered into between the Mayor and Council of the Town of Berlin and the owner.
7. ZONING - The area will be Zoned as "B-2" General Business District under the Town of Berlin Zoning Ordinance, as shown on the attached map, and made a part of this document, with the consent of the Worcester County Commissioners.
8. VOTING RIGHTS - In the event that in the future, persons would reside in the annexed area, upon the effective date of annexation, those persons shall have the right to vote in all general and special elections of the Town of Berlin, subject to the same requirements applicable to all voters in the Town of Berlin.
9. PROPERTY TAXES - All property in the newly annexed area shall upon the effective date of annexation be subject to the payment of taxes, real and personal, and shall further be subject to a lien for the nonpayment thereof, in the same manner and at the same rate as properties now within the existing Town limits are subject as of the effective date of this resolution. Such taxes shall become due and payable within ninety (90) days of annexation. Commencing with the fiscal year beginning July 1, 2013, all such taxes shall be billed and collected in the same manner as all other taxes in the Town of Berlin.

Adopted this _____ day of _____, 20__ by the Mayor and the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Vice-President

Approved this _____ day of _____, 20__ by the Mayor and Town of Berlin.

Wm. Gee Williams, III, Mayor

ATTEST: Anthony Carson, Town Administrator

RESOLUTION 2013-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MARYLAND MUNICIPAL CORPORATION, ADOPTING THE WALKABLE/BIKEABLE BERLIN MASTER PLAN.

WHEREAS, the Lower Shore Land Trust has worked with community members, Town agencies and departments, and other stakeholders since 2011 to incorporate their input on the development of a Pedestrian and Bike-Friendly Berlin; and

WHEREAS, the Mayor and Council of the Town of Berlin support the goal of providing an interconnected network of trails to areas within the Town as well as destinations outside of Town; and

WHEREAS, trails will provide the community with new, healthy living options for recreation, economic development and a greener, more sustainable community; and

WHEREAS, the Mayor and Council of the Town of Berlin by unanimous support passed Resolution 2011-05 on the 9th day of May, 2011 in support of the development of a Master Plan for a Walkable/Bikeable Berlin; and

WHEREAS, the Comprehensive Plan of the Town of Berlin contains language encouraging and supporting increased recreation opportunities, additional sidewalks and walking trails connecting residential areas to parks and shopping amenities and to create viable, alternative modes of transportation by seeking out bike paths and creating a system of interconnected sidewalks; and

WHEREAS, input from a series of focus groups held in the fall of 2012 recommended that the Plan incorporate public trails alongside stormwater restoration projects where possible; and

WHEREAS, the Master Plan for a Walkable Bikeable Berlin recommends three focus areas for prioritization; a Berlin Trail network, a Berlin Greenbelt Trail and a Berlin – Assateague Corridor; and encourages connectivity to other State Transportation Corridors as funding is available; and

WHEREAS, the Mayor and Council of the Town of Berlin intend to seek and/or support grants and pursue similar funding opportunities to implement the plan; and

WHEREAS, the Mayor and Council of the Town of Berlin support opportunities to further the connectivity of proposed trail systems to federal, state and regional trail systems;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Berlin that it supports the Master Plan for a walkable/bikeable trail system for the Town of Berlin.

BE IT FURTHER RESOLVED THAT, Mayor William G. Williams, III is hereby requested to endorse this Resolution, thereby indicating the Mayor and Council's approval thereof and that the Resolution be shared with any initiative partners, governmental agencies or non-governmental entities for which support is sought for the initiative.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Mayor and Council of the Town of Berlin, Maryland held on ____ day of _____, 2013 by the Council of the Town of Berlin, Maryland, by affirmative vote of ____ to ____ opposed, with ____ abstaining.

ATTEST: _____
Anthony Carson, Jr.,
Town Administrator

Wm. Gee Williams, III, Mayor

Elroy Brittingham, Sr. Vice-President

ORDINANCE 2013-03

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN TO
APPROVE THE FY14 BUDGET AS SUBMITTED AS ATTACHMENT A.

ADOPTED THIS ____ DAY OF ____, 2013 BY THE COUNCIL OF THE
TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF ____ TO
____ OPPOSED.

Elroy Brittingham, Sr., Vice President

APPROVED THIS ____ DAY OF ____, 2013

Wm. Gee Williams, III, Mayor

ATTEST: _____
Anthony J. Carson, Jr.
Town Administrator

TOWN ADMINISTRATOR'S REPORT
May 13, 2013

Purchase Orders

PO# 201302585 in the amount of \$1,495.00 to Envirocorp for quarterly monitoring of wells at Berlin Spray irrigation. (24-4380-4049)

PO# 201302916 in the amount of \$8,205.00 to Ermco for replacement transformer for transclosure located at Worcester Preparatory School. (10-4210-4080)

PO# 201303087 in the amount of \$2,500.00 to Worcester Youth and Family Counseling for grant request for internship. Approved by Mayor and Council at Budget Worksession on April 29, 2013. (10-4210-4080)

PO# 201303086 in the amount of \$10,000.00 to Berlin Little League for grant request support. Approved by Mayor and Council at Budget Worksession on April 29, 2013. (01-4110-4076)

PO# 201303091 in the amount of \$1,000.00 to BRAVE for grant request support. Approved by Mayor and Council at Budget Worksession on April 29, 2013. (01-4110-4076)

PO# 201303088 in the amount of \$7,500.00 to Diakonia for grant request support. Approved by Mayor and Council at Budget Worksession on April 29, 2013. (01-4110-4076)

PO# 201303118 in the amount of \$9,260.00 to Worcester County for ½ cost of directional drilling of water line at Briddelltown. (20-4320-4060)

PO# 201302924 in the amount of \$1,220.87 to Ferguson Waterworks for Ifultrators for new drainfield at new spray site. (24-4360-4092)

PO# 201303061 in the amount of \$1,231.00 to Towers Concrete Products for septic tank and lift station tank for new spray site. (24-4360-4092)

PO# 201303136 in the amount of \$5,000.00 to D.R. Excavating for clearing of obstructions from Channel behind Buttercup Court downstream to corner. (30-4300-4060)

Updates